

# McDERMOTT & McDERMOTT

Attorneys and Counselors at Law

Mill Pond Offices  
293 Route 100  
Suite 210  
Somers, New York 10589

[www.AttorneyMcDermott.com](http://www.AttorneyMcDermott.com)

---

Tel: 914-276-2747  
Mobile: 914-262-5922

**Michael J. McDermott, Partner**  
- [Michael@AttorneyMcDermott.com](mailto:Michael@AttorneyMcDermott.com)

November 19, 2020

United States Magistrate Judge Paul E. Davidson  
The Hon. Charles L. Brieant Jr.  
Federal Building and United States Courthouse  
300 Quarropas St.  
White Plains, NY 10601-4150

Re: Malone v. the Town of Clarkstown, et al.  
7:19-CV-05503-VB (S.D.N.Y.)

Dear Magistrate Judge Davidson:

This firm represents Defendant Robert Klein in the above action. This Court had directed that all fact discovery be completed by November 20, 2020. Mr. Klein's deposition was scheduled to be conducted via Zoom on November 20, 2020.

Mr. Klein contacted me late this afternoon advising me that he will be hospitalized tomorrow and was unsure of exact length of stay but expected to be released sometime next week. Given the Thanksgiving Holiday Schedule next week, I am requesting leave until after Thanksgiving Holidays to produce Mr. Klein for his deposition.

Given the last minute notification I was unable to contact Plaintiff's counsel as to the scheduling matter, but will make every effort to coordinate with all counsel.

Respectfully,

*s/ Michael J. McDermott*  
Michael J. McDermott

MJM:az  
Cc: All Counsel

